

**SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 15, 2006**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Ellsworth. Total -- 1.

Total -- 70.

Prayer was offered by Ron Crane, State Treasurer.

The Pledge of Allegiance was led by Brock Larsen, Page.

Approval of Journal

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 13, 2006

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 701

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 14, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1268, S 1269, S 1270, S 1271, S 1272, and S 1301** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1268, S 1269, S 1270, S 1271, S 1272, and S 1301** and, when so signed, ordered them returned to the Senate.

March 14, 2006

Mr. Speaker:

I return herewith enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530, and H 589**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530, and H 589**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 14, 2006

Mr. Speaker:

I transmit herewith **S 1437** which has passed the Senate.

WOOD, Secretary

S 1437 was filed for first reading.

March 14, 2006

Mr. Speaker:

I return herewith **H 593, H 614, H 584, H 587, H 711, H 718, H 565, as amended, H 611, as amended, H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607** which have passed the Senate.

WOOD, Secretary

H 593, H 614, H 584, H 587, H 711, H 718, H 565, as amended, H 611, as amended, H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 14, 2006

Mr. Speaker:

I return herewith **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 671, as amended in the Senate, and **H 497**, as amended in the Senate, were ordered held at the Desk.

Mrs. Field(23) asked unanimous consent that the House concur in the Senate amendments to **H 671**, as amended in the Senate. There being no objection, it was so ordered.

Ms. Kemp asked unanimous consent that the House concur in the Senate amendments to **H 497**, as amended in the Senate. There being no objection, it was so ordered.

H 671, as amended in the Senate, and **H 497**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND

ADMINISTRATION report that we have printed **HCR 63**, **H 807**, **H 808**, **H 809**, **H 810**, **H 811**, **H 812**, **H 813**, and **H 814**.

FIELD(18), Chairman

HCR 63 was referred to the Health and Welfare Committee.

H 807 was referred to the Revenue and Taxation Committee.

H 814 was referred to the Judiciary, Rules, and Administration Committee.

H 808, **H 809**, **H 810**, **H 811**, **H 812**, and **H 813** were filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 443**, as amended in the Senate.

FIELD(18), Chairman

H 443, as amended in the Senate, was filed for first reading of engrossed bills.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 457**, **H 483**, **H 672**, **H 579**, **H 580**, **H 581**, **H 708**, **H 411**, **H 490**, **H 493**, **H 410**, **H 463**, as amended, **H 603**, **H 608**, **H 547**, **H 559**, **H 685**, **H 590**, **H 475**, **H 548**, **H 549**, **H 550**, and **H 551** to the Governor at 11 a.m., as of this date, March 14, 2006.

FIELD(18), Chairman

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 46** to the Secretary of State at 11:01 a.m., as of this date, March 14, 2006.

FIELD(18), Chairman

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 768** and report it back without recommendation.

BARRACLOUGH, Chairman

H 768 was filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 764**, **H 728**, **H 780**, and **H 781** and recommend that they do pass.

CROW, Chairman

H 764, **H 728**, **H 780**, and **H 781** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 570** and **H 777** and report them back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

H 570 and **H 777** were placed on General Orders for consideration.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1401** and **S 1266**, as amended, and recommend that they do pass.

WOOD, Chairman

S 1401 and **S 1266**, as amended, were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **H 791** and **HCR 62** and recommend that they do pass.

RAYBOULD, Chairman

H 791 and **HCR 62** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1412**, as amended, **SCR 125**, and **SCR 126** and recommend that they do pass.

BLOCK, Chairman

S 1412, as amended, **SCR 125**, and **SCR 126** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 771**, **H 772**, **H 773**, **H 774**, and **H 775** and recommend that they do pass.

FIELD(23), Chairman

H 771, **H 772**, **H 773**, **H 774**, and **H 775** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 778** and report it back with amendments attached to be placed on General Orders

for consideration.

CROW, Chairman

H 778 was placed on General Orders for consideration.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJR 6**, **HJR 7**, and **S 1350**, as amended, and recommend that they do pass.

DEAL, Chairman

HJR 6, **HJR 7**, and **S 1350**, as amended, were filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 745** and recommend that it do pass.

CROW, Chairman

H 745 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 23 BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE UNITED STATES SECRETARY OF THE TREASURY, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, capital resources of the Idaho and United States taxpayer, as well as capital resources of international financial institutions, are scarce and limited; and

WHEREAS, the Congress of the United States appropriates funds to international financial institutions through capital replenishment; and

WHEREAS, lending practices by international financial institutions are formulated without vital public scrutiny and debate and there are few checks and balances to ensure that international financial institutions are acting in the best interests of the countries to whom they lend; and

WHEREAS, the United States executive directors of these international financial institutions should vote for and approve loans to countries whose policies are consistent with the economic, environmental and national security interests of the

United States; and

WHEREAS, international financial institutions have isolated developing countries from free market reforms by imposing severe economic austerity measures; and

WHEREAS, severe economic austerity measures are the cause and source of much social, political and economic instability in the world.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we request that Congress and the United States Secretary of the Treasury oppose the World Bank, the International Monetary Fund and other international financial institutions' loans or aid by use of its voice and vote until such time as the United States Secretary of the Treasury shall determine that the several international financial institutions' executive directors and the borrowing countries have formulated an economic program that determines how funds of the World Bank, the International Monetary Fund and other international financial institutions' assistance programs shall provide the basis for correcting the borrowers' out-of-balance payment deficits, reduce the severe constraints on the borrowing countries' labor forces and capital mobility in order to advance market-oriented domestic interests, minimize negative environmental impact upon borrowing countries and the global community and establish social, political, economic, anti-human trafficking and antiterrorist reforms for humankind.

BE IT FURTHER RESOLVED that Congress and Idaho's congressional delegation shall be requested to further discourage such wrongful investment by international financial institutions by reducing any future recapitalization by an amount equal to the proportionate share of those loans that are not in keeping with the economic, environmental, and national security interests of the United States.

BE IT FURTHER RESOLVED that the United States Secretary of the Treasury is encouraged to annually review the budgets and accounts and activities of the international financial institutions and to annually report his or her findings to the general public and Congress.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the United States Secretary of the Treasury, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 23 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 815 BY EDUCATION COMMITTEE AN ACT

RELATING TO PUBLIC VIRTUAL SCHOOLS;
AMENDING SECTION 33-5202A, IDAHO CODE, TO

DEFINE "VIRTUAL DISTANCE LEARNING."

HOUSE BILL NO. 816
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AMENDING SECTION 63-3501, IDAHO CODE, TO REVISE DEFINITIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3502B, IDAHO CODE, TO PROVIDE FOR A WIND ENERGY TAX; AMENDING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3503B, IDAHO CODE, TO PROVIDE FOR THE FILING OF OPERATORS' STATEMENTS BY PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY, TO PROVIDE FOR THE COMPUTATION, ALLOTMENT AND APPORTIONMENT OF TAX DUE FROM PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY BY THE STATE TAX COMMISSION AND TO REQUIRE CERTAIN NOTIFICATIONS; AMENDING SECTION 63-3504, IDAHO CODE, TO AUTHORIZE COUNTY TREASURERS TO COLLECT SPECIFIED TAXES FROM PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY, TO PROVIDE AN EXCEPTION RELATING TO DISTRIBUTION OF THOSE TAXES AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3504A, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF TAXES PAID BY PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AMENDING SECTION 63-3505, IDAHO CODE, TO PROVIDE FOR TAX LIENS ON PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3506, IDAHO CODE, TO PROVIDE FOR THE ASSESSMENT OF NONOPERATING PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602JJ, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM TAXATION FOR CERTAIN OPERATING PROPERTY OF PRODUCERS OF ELECTRICITY BY MEANS OF WIND ENERGY; AND TO PROVIDE AN EFFECTIVE DATE.

HOUSE BILL NO. 817
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

HOUSE BILL NO. 818
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

HOUSE BILL NO. 819
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

HOUSE BILL NO. 820
BY WAYS AND MEANS COMMITTEE
 AN ACT

RELATING TO RAIL SERVICE PRESERVATION; AMENDING THE HEADING FOR CHAPTER 29, TITLE 49, IDAHO CODE, TO PROVIDE THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION PROGRAM; AMENDING SECTION 49-2901, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF COMMERCE AND LABOR TO ADMINISTER THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION PROGRAM, TO CLARIFY FUNDING FOR STATE PROJECTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING CHAPTER 29, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-2902, IDAHO CODE, TO CREATE AN INTERAGENCY WORKING GROUP; AMENDING SECTION 49-2902, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE INTERAGENCY WORKING GROUP, TO PROVIDE A CORRECT CODE REFERENCE AND TO REDESIGNATE THE SECTION; AMENDING SECTION 49-2903, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF COMMERCE AND LABOR TO ADMINISTER THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION REVOLVING LOAN FUND, TO PROVIDE FOR INVESTMENT OF IDLE MONEYS IN THE FUND AND TO PROVIDE FOR RETURN TO THE FUND OF INTEREST EARNED, TO REDEFINE "QUALIFIED LINES," TO PROVIDE FOR USES AND DISTRIBUTION OF MONEYS, TO PROVIDE CORRECT TERMINOLOGY AND TO REDESIGNATE THE SECTION; AND AMENDING SECTION 49-2904, IDAHO CODE, TO DIRECT THE IDAHO TRANSPORTATION DEPARTMENT TO PREPARE AND UPDATE A STATE RAIL AND INTERMODAL FACILITY SYSTEM PLAN, TO REVISE THE ELEMENTS OF THE PLAN, TO DIRECT THE IDAHO TRANSPORTATION DEPARTMENT TO PROVIDE CERTAIN INFORMATION TO THE INTERAGENCY WORKING GROUP, TO PROVIDE CORRECT TERMINOLOGY AND TO REDESIGNATE THE SECTION.

HOUSE BILL NO. 821
BY EDUCATION COMMITTEE

AN ACT

RELATING TO DEAF AND BLIND EDUCATION; AMENDING SECTION 16-113, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-101, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-905, IDAHO CODE, TO REMOVE CONSIDERATION OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE EDUCATION SUPPORT PROGRAM FORMULA AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004H, IDAHO CODE, TO PROVIDE DISTRIBUTION CALCULATIONS FOR SCHOOL DISTRICTS HOSTING REGIONAL PROGRAMS FOR DEAF EDUCATION; AMENDING THE HEADING FOR CHAPTER 34, TITLE 33, IDAHO CODE; AMENDING SECTION 33-3401, IDAHO CODE, TO ESTABLISH IN THE STATE BOARD OF EDUCATION THE DIVISION OF DEAF AND BLIND EDUCATION AND TO PROVIDE FOR THE ELIMINATION OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A BODY CORPORATE; AMENDING SECTION 33-3402, IDAHO CODE, TO REMOVE REFERENCE TO THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A BODY CORPORATE AND TO PROVIDE GENERAL SUPERVISION, GOVERNMENT AND CONTROL OF THE DIVISION IN THE STATE BOARD; AMENDING SECTION 33-3403, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY; AMENDING SECTION 33-3404, IDAHO CODE, TO EMPOWER THE STATE BOARD TO DISPOSE OF ANY PROPERTY BELONGING TO OR VESTED IN THE NAME OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND; AMENDING SECTION 33-3405, IDAHO CODE, TO PROVIDE FOR GENERAL POWERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-3406, IDAHO CODE, TO PROHIBIT RELIGIOUS OR SECTARIAN TESTS WITH REGARD TO DIVISION STUDENTS AND PERSONNEL; REPEALING SECTION 33-3407, IDAHO CODE, RELATING TO THE DEFINITION OF DEAF AND BLIND, EXAMINATION OF APPLICANTS AND ADMISSION AND RELEASE OF PUPILS; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3407, IDAHO CODE, TO PROVIDE FOR DEFINITIONS; AMENDING SECTION 33-3408, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 33-3409, IDAHO CODE, RELATING TO A GENERAL FUND CONTINGENCY RESERVE; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3409, IDAHO CODE, TO PROVIDE FOR A PROGRAM FOR THE DEAF; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3410, IDAHO CODE, TO PROVIDE FOR A PROGRAM FOR THE BLIND; AMENDING SECTION 33-4802, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS WITH REGARD TO

THE DIVISION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-4803, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-4806, IDAHO CODE, TO PROVIDE FOR TECHNOLOGY GRANTS TO THE REGIONAL DEAF EDUCATION PROGRAMS; AMENDING SECTION 66-1106, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-1107, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-1108, IDAHO CODE, TO PROVIDE FOR TRANSFER AND CREDIT OF CERTAIN FUNDS TO THE IDAHO DIVISION OF DEAF AND BLIND EDUCATION FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7304, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 822**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4001, IDAHO CODE, TO REVISE THE DECLARATION OF PURPOSE; AMENDING SECTION 41-4002, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 41-4003, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO REGISTRATION REQUIREMENTS AND TO REQUIRE WRITTEN NOTICE TO CURRENT AND PROSPECTIVE EMPLOYER PARTICIPANTS; AMENDING SECTION 41-4004, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO SET FORTH PLAN REQUIREMENTS; AMENDING SECTION 41-4005, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO APPLICATIONS FOR REGISTRATION; AMENDING SECTION 41-4006, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE GRANT OR DENIAL OF REGISTRATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4007, IDAHO CODE, TO REQUIRE CONTRACTS OF THE TRUST FUND TO BE IN WRITING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4009, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO INVESTMENTS OF TRUST FUNDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RESERVES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4011, IDAHO CODE, TO PROVIDE FOR EXTENSIONS OF FILING TIMES APPLICABLE TO ANNUAL STATEMENTS, TO REQUIRE THE FILING OF QUARTERLY SUPPLEMENTAL FINANCIAL REPORTS, TO MAKE A GRAMMATICAL CORRECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 41-4012, IDAHO CODE, TO EXEMPT SELF-FUNDED PLANS FROM CERTAIN PROVISIONS RELATING TO TAXES, LICENSES AND FEES, TO MAKE A GRAMMATICAL CHANGE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4013, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE EXAMINATION OF BOOKS, RECORDS AND ACCOUNTS;

AMENDING SECTION 41-4014, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO ADMINISTRATORS AND THE ISSUANCE OF BONDS OR OTHER COVERAGE; AMENDING SECTION 41-4015, IDAHO CODE, TO REFERENCE PLANS FOR PURPOSES OF PROHIBITED PECUNIARY INTERESTS; AMENDING SECTION 41-4018, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TERMINATION OF REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4019, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE LIQUIDATION OF A TRUST FUND; AMENDING SECTION 41-4020, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RULES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4021, IDAHO CODE, TO PROVIDE CODE REFERENCES FOR APPLICABLE PROVISIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4022, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PENALTIES; AND AMENDING SECTION 41-4023, IDAHO CODE, TO PROVIDE CLARIFYING LANGUAGE, TO REFERENCE THE PLAN TRUSTEE OR EMPLOYER FOR PURPOSES OF PROHIBITING THE RESTRICTION OF SPECIFIED COVERAGE AND TO PROHIBIT SPECIFIC BENEFITS RESTRICTIONS RELATED TO THE NEWBORNS' AND MOTHERS' HEALTH PROTECTION ACT OF 1996 AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 823
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO BUILDING CODE BOARD; AMENDING SECTION 39-4106, IDAHO CODE, TO REVISE BOARD MEMBERSHIP AND MEETING PROVISIONS.

HOUSE BILL NO. 824
BY EDUCATION COMMITTEE
AN ACT

RELATING TO JUNIOR COLLEGES; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING THE CHAPTER HEADING OF CHAPTER 21, TITLE 33, IDAHO CODE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF STATE COMMUNITY COLLEGES BY THE STATE BOARD OF EDUCATION; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101A, IDAHO CODE, TO PROVIDE FOR ESTABLISHMENT OF COMMUNITY COLLEGE ADVISORY BOARDS AND TO PROVIDE POWERS OF THE BOARDS; AMENDING SECTION 33-2101, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE PROPER TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2101A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE A CODE REFERENCE; AMENDING SECTION 33-2110A, IDAHO CODE, TO PROVIDE TUITION FOR STUDENTS RESIDING OUTSIDE OF A COMMUNITY COLLEGE DISTRICT; AND AMENDING CHAPTER 21,

TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2141A, IDAHO CODE, TO PROVIDE FOR DISBURSEMENT OF FUNDS APPROPRIATED TO THE STATE BOARD OF EDUCATION FOR STATE COMMUNITY COLLEGES.

H 815, H 816, H 817, H 818, H 819, H 820, H 821, H 822, H 823, and H 824 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1437, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

First Reading of Engrossed Bills

H 443, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 801, H 802, H 803, H 804, and H 805, by Appropriations Committee, were read the second time by title and filed for third reading.

S 1395, as amended, by Education Committee, was read the second time by title and filed for third reading.

S 1275, S 1400, as amended, **S 1407, S 1408, S 1409**, as amended, **S 1411, S 1413, and S 1300**, as amended, as amended in the House, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 784, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1295, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1373 and S 1363, as amended in the House, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

HJM 21 and HJM 22, by Ways and Means Committee, were read the second time by title and filed for third reading.

S 1434, S 1435, and S 1436, by Finance Committee, were read the second time by title and filed for third reading.

H 474, as amended, and **H 760**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 663, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 15, 2004

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **HCR 50, H 753, H 736, H 570, H 777, and H 778** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO HCR 50

AMENDMENT TO THE RESOLUTION

On page 1 of the printed resolution, following line 41, insert:

"BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to join a prescription drug purchasing pool for purchase of Medicaid-financed prescription drugs and that the resulting savings be used to fund Medicaid participants' personal health accounts for the purpose of payment of premiums."

CORRECTION TO TITLE

On page 1, in line 7, following "DEPARTMENT" insert: ", ENCOURAGING THE DEPARTMENT TO JOIN A DRUG PURCHASING POOL WITH THE RESULTING SAVINGS TO BE USED TO FUND THE PERSONAL HEALTH ACCOUNTS".

HOUSE AMENDMENT TO H 753

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 19, delete "given," and insert: "given. If delivered via United States mail, such ten (10) day notification period shall begin to run five (5) days following the date of postmark.".

AMENDMENT TO THE BILL

On page 3, following line 9, insert:

"SECTION 2. That Section 41-1842, Idaho Code, be, and the same is hereby amended to read as follows:

41-1842.COMMERCIAL - INSURANCE - CANCELLATION - NONRENEWAL. (1) Applicability. The provisions of this section apply only to:

(a) Commercial property insurance policies;

(b) Commercial liability insurance policies other than aviation and employer's liability insurance policies;

(c) Commercial multiperil insurance policies.

The provisions of this section do not apply to: block cancellations or block nonrenewals as provided in section 41-1841, Idaho Code, reinsurance, excess and surplus lines insurance, residual market risks, worker's compensation insurance, multistate location risks, policies subject to retrospective rating plans, excess or umbrella policies and such other policies that are exempted by the director of the department of insurance.

(2) Definitions. For the purposes of this section:

(a) "Cancellation" means termination of a policy at a date other than its expiration date.

(b) "Expiration date" means the date upon which coverage under a policy ends. It also means, for a policy written for a term longer than one (1) year or with no fixed expiration date, each annual anniversary date of such policy.

(c) "Nonpayment of premium" means the failure or inability of the named insured to discharge any obligation in connection with the payment of premiums on a policy of insurance subject to this section, whether such payments are payable directly to the insurer or its agent or indirectly payable under a premium finance plan or extension of credit.

(d) "Nonrenewal" or "not to renew" means termination of a policy at its expiration date.

(e) "Renewal" or "to renew" means the issuance, or the offer so to issue, by an insurer of a policy succeeding a policy previously issued and delivered by the same insurer or an insurer within the same group of insurers, or the issuance of a certificate or notice extending the term of an existing policy for a specified period beyond its expiration date.

(3) Notice of cancellation.

(a) Permissible cancellations. If coverage under a policy has not been in effect for sixty (60) days and the policy is not a renewal, cancellation of such policy shall be effected by mailing or delivering a written notice to the first-named insured at the last known mailing address shown on the policy at least thirty (30) days before the effective date of the cancellation, provided however, if such cancellation is for the reason stated in subsection (3)(a)(i) of this section, the time such cancellation may be effective following notice shall be as provided in subsection (3)(b)(i) of this section. A cancellation requested by the insured shall be effective on the later of the date requested by the insured or the date it is received by the insurer. After coverage has been in effect for more than sixty (60) days or after the effective date of a renewal policy, whichever is earlier, no insurer shall cancel a policy unless the cancellation is based on at least one (1) of the following reasons:

(i) Nonpayment of premium.

(ii) Fraud or material misrepresentation made by or with the knowledge of the named insured in obtaining the policy, continuing the policy, or in presenting a claim under the policy.

(iii) Activities or omissions on the part of the named insured which increase any hazard insured against, including a failure to comply with loss control recommendations.

- (iv) Change in the risk which materially increases the risk of loss after insurance coverage has been issued or renewed including, but not limited to, an increase in exposure to regulation, legislation or court decision.
- (v) Loss or decrease of the insurer's reinsurance covering all or part of the risk or exposure by the policy.
- (vi) Determination by the director that the continuation of the policy would jeopardize an insurer's solvency or would place the insurer in violation of the insurance laws of this state or any other state.
- (vii) Violation or breach by the insured of any policy terms or conditions other than nonpayment of premium.
- (b) Notification of cancellation.
 - (i) A notice of cancellation of insurance coverage by an insurer shall be in writing and shall be mailed or delivered to the first-named insured at the last known mailing address as shown on the policy. Notices of cancellation based on subsections (3)(a)(ii) through (a)(vii) of this section shall be mailed or delivered at least thirty (30) days prior to the effective date of the cancellation. Notices of cancellation for the reason stated in subsection (3)(a)(i) of this section without regard to when such cancellation shall be effected shall be mailed or delivered at least ten (10) days prior to the effective date of cancellation. If delivered via United States mail, the ten (10) day notification period shall begin to run five (5) days following the date of postmark. The notice shall state the effective date of the cancellation.
 - (ii) The insurer shall provide the first-named insured with a written statement setting forth the reason(s) for the cancellation if: (1) the insured requests such a statement in writing; and (2) the named insured agrees in writing to hold the insurer harmless from liability for any communication giving notice of or specifying the reasons for a cancellation or for any statement made in connection with an attempt to discover or verify the existence of conditions which would be a reason for a cancellation under this section.
- (4) Notice of nonrenewal.
 - (a) An insurer may decline to renew a policy if the insurer delivers or mails to the first-named insured, at the last known mailing address, written notice that the insurer will not renew the policy. Such notice shall be mailed or delivered at least forty-five (45) days before the expiration date. If the notice is mailed less than forty-five (45) days before expiration, coverage shall remain in effect until forty-five (45) days after notice is mailed or delivered. Earned premium for any period of coverage that extends beyond the expiration date shall be considered pro rata based upon the previous year's rate. For purposes of this section, the transfer of a policyholder between companies within the same insurance group is not a nonrenewal or a refusal to renew. In addition, changes in deductibles, changes in premium, and changes in the amount of insurance or reductions in policy limits or coverage shall not be deemed to be nonrenewals or refusals to renew. Notice of nonrenewal is not required if:
 - (i) The insurer or a company within the same insurance group has offered to issue a renewal policy; or
 - (ii) Where the named insured has obtained replacement

coverage or has agreed in writing to obtain replacement coverage.

- (b) If an insurer provides the notice described in subsection (4) of this section and thereafter the insurer extends the policy for ninety (90) days or less, an additional notice of nonrenewal is not required with respect to the extension.
- (5) Notice of premium or coverage changes. An insurer shall mail or deliver to the named insured, at the last known mailing address, written notice of a total premium increase greater than ten percent (10%) which is the result of a comparable increase in premium rates, changes in deductibles, reductions in limits, or reductions in coverages at least thirty (30) days prior to the expiration date of the policy. If the insurer fails to provide such thirty (30) day notice, the coverage provided to the named insured shall remain in effect until thirty (30) days after such notice is given or until the effective date of replacement coverage obtained by the named insured, whichever first occurs. For the purposes of this section, notice is considered given thirty (30) days following date of mailing or delivery of the notice to the named insured. If the insured elects not to renew, any earned premium for the period of extension of the terminated policy shall be calculated pro rata at the lower of the current or previous year's rate. If the insured accepts the renewal, the premium increase, if any, and other changes shall be effective on and after the first day of the renewal term.
- (6) Proof of notice. Proof of mailing of notice of cancellation, or of nonrenewal or of premium or coverage changes, to the named insured at the last known mailing address showing on the policy, shall be sufficient proof of notice.
- (7) Application, effective date and termination. The provisions of this section shall apply only to policies with coverage effective dates after the effective date of this section.
- (8) ~~Regulations~~ Rules. The director may promulgate rules ~~and regulations~~ to implement the provisions of this section. Every rule ~~and regulation~~ promulgated within the authority conferred by this act shall be of temporary effect and shall become permanent only by enactment by statute at the regular session of the legislature first following adoption of the rule, ~~or regulation~~. Rules ~~and regulations~~ not approved in the above manner shall be rejected, null, void and of no force and effect on July 1, following submission of the rules ~~and regulations~~ to the legislature."

CORRECTION TO TITLE

On page 1, in line 4, following "PREMIUM" insert: "; AND AMENDING SECTION 41-1842, IDAHO CODE, TO PROVIDE WHEN THE NOTIFICATION PERIOD SHALL BEGIN AND TO MAKE TECHNICAL CORRECTIONS".

HOUSE AMENDMENTS TO H 736

AMENDMENTS TO SECTION 2

On page 3 of the printed bill, in line 36, delete "or"; in line 37, delete "replacement water"; in line 39, following "entitled to" insert: "an assessment"; in line 40, delete "or replacement water"; in line 41, delete "In"; and delete lines 42 through 44.

AMENDMENTS TO SECTION 4

On page 4, in line 13, delete "IRRIGATION" and insert:

"IRRIGATED"; in line 16, delete "irrigation" and insert: "irrigated"; and in line 20, delete "irrigation" and insert: "irrigated".

CORRECTIONS TO TITLE

On page 1, in line 5, delete "CREDITS AND ADJUSTMENTS" and insert: "ASSESSMENT CREDITS"; in line 7, delete "OR REPLACEMENT WATER"; and in line 12, delete "IRRIGATION" and insert: "IRRIGATED".

HOUSE AMENDMENT TO H 570

AMENDMENTS TO SECTION 3

On page 4 of the printed bill, delete lines 52 and 53, and on page 5, delete line 1 and insert: "written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may".

CORRECTION TO TITLE

On page 1, in line 5, delete "AN APPLICANT'S NAME SHALL BE DISCLOSED TO THE" and delete line 6 and insert: "NAMES OF APPLICANTS TO CLASSIFIED OR MERIT SYSTEM POSITIONS SHALL NOT BE DISCLOSED WITHOUT WRITTEN CONSENT OF THE APPLICANT, TO PROVIDE THAT THE NAMES OF THE FIVE FINAL APPLICANTS TO ALL OTHER POSITIONS SHALL BE AVAILABLE TO THE PUBLIC AND TO PROVIDE FOR RELEASE TO THE PUBLIC IF THERE ARE LESS THAN FIVE APPLICANTS; AND AMENDING SECTION 67-5241, IDAHO".

HOUSE AMENDMENT TO H 777

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 16 and 17 and insert: "be consumed. If a city adopts an ordinance pursuant to this subsection allowing consumption of beer or wine on the premises, the provisions of section 23-614(1)(e), Idaho Code, shall not apply to the premises. As used in this subsection, "movie theater" means a motion picture theater, screening room or other venue that is being utilized primarily for exhibition of a motion picture.".

CORRECTION TO TITLE

On page 1, in line 9, delete "AND" and insert: ","; and in line 11, delete "DOES" and insert: "SHALL", and also in line 11, following "PREMISES" insert: "WHEN A CITY ADOPTS AN ORDINANCE ALLOWING CONSUMPTION OF BEER OR WINE ON THE PREMISES AND TO DEFINE THE TERM "MOVIE THEATER"".

HOUSE AMENDMENT TO H 778

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "for" insert: "nonprofit"; in line 17, following the second "the" insert: "nonprofit"; in line 19, following "for" insert: "nonprofit"; in line 21, following the first "for" insert: "nonprofit"; and in line 22, following "the" insert: "nonprofit".

CORRECTION TO TITLE

On page 1, in line 3, following the second "FOR" insert: "NONPROFIT".

We have also had under consideration **H 677**, **H 789**, and **H 737**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

HCR 50, as amended, **H 753**, as amended, **H 736**, as amended, **H 570**, as amended, **H 777**, as amended, and **H 778**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 677, **H 789**, and **H 737** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 49 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **HCR 49** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Ellsworth, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **HCR 49** adopted and

ordered the resolution transmitted to the Senate.

HCR 51 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **HCR 51** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Ellsworth, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **HCR 51** adopted and ordered the resolution transmitted to the Senate.

HCR 53 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **HCR 53** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Shirley, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 53** adopted and ordered the resolution transmitted to the Senate.

H 714, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 714**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- Smith(24). Total -- 1.

Absent and excused -- Crow, Ellsworth, Shirley, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 714**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 793 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 793** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 63.

NAYS -- LeFavour, Mitchell, Pence, Rusche. Total -- 4.

Absent and excused -- Crow, Ellsworth, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 793** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 794 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 794** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Roberts, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 794** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 787 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) and Mr. Lake to open debate.

The question being, "Shall **H 787** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Anderson, Barrett, Bayer, Black, Edmunson, Eskridge, Harwood, McGeachin, Nonini, Sali, Schaefer, Shepherd(2), Shepherd(8), Smith(24), Snodgrass. Total -- 15.

Absent and excused -- Ellsworth, Roberts. Total -- 2.

Paired Votes:

AYE -- Crow NAY -- Barrett.

AYE -- Loertscher NAY -- Sali.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 787** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 731 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 731** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Field(18), Roberts, Sali, Smith(24). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 731** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 739 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 739** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- McKague, Wood. Total -- 2.

Absent and excused -- Crow, Ellsworth, Field(18), Roberts, Sali, Smith(24). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 739** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 796 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

Mr. Denney asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 796**. There being no objection, it was so ordered.

The question being, "Shall **H 796** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Cannon, LeFavour, Mitchell, Ringo, Rusche. Total -- 5.

Absent and excused -- Bayer, Crow, Edmunson, Ellsworth, Roberts, Sali, Skippen, Smith(24). Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 796** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 797 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 797** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Nonini, Ring, Roberts, Sali, Smith(24). Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 797** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 798 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 798** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 798** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 799 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 799** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 799** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 65 members present.

Absent and excused -- Clark, Crow, Ellsworth, Wills, Mr. Speaker. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 825 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO JOINT PUBLIC AGENCY SELF-FUNDED HEALTH CARE PLANS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 41, TITLE 41, IDAHO CODE, TO SET FORTH A DECLARATION OF PURPOSE, TO DEFINE TERMS, TO REQUIRE REGISTRATION, TO SET FORTH EXEMPTIONS, TO PROVIDE QUALIFICATIONS FOR REGISTRATION, TO PROVIDE FOR APPLICATION FOR REGISTRATION, TO PROVIDE FOR GRANTS OR DENIALS OF APPLICATIONS, TO PROVIDE FOR TRUST FUND POWERS, TO PROVIDE FOR TRUST FUND LIABILITY, TO PROVIDE FOR INVESTMENT OF TRUST FUND MONEYS, TO REQUIRE RESERVES, TO PROVIDE FOR RECORDS, ACCOUNTS AND ANNUAL STATEMENTS, TO EXEMPT PLANS FROM TAXES, TO PROVIDE FOR EXAMINATION OF BOOKS, RECORDS AND ACCOUNTS, TO PROVIDE FOR A BOARD OF TRUSTEES AND ADMINISTRATORS, TO PROHIBIT CERTAIN PECUNIARY INTERESTS IN PLAN MANAGEMENT, TO PROHIBIT POLITICAL CONTRIBUTIONS, TO PROVIDE FOR RECOVERY OF DEPLETED FUNDS, TO PROVIDE FOR TERMINATION OF REGISTRATION, TO PROVIDE FOR THE LIQUIDATION OF A TRUST FUND, TO AUTHORIZE RULES, TO PROVIDE FOR THE APPLICABILITY OF OTHER PROVISIONS, TO SET FORTH PENALTIES, TO SET FORTH MANDATED COVERAGE PROVISIONS RELATING TO CHILDREN AND PREGNANCY, TO PROVIDE FOR SERVICES PROVIDED BY GOVERNMENTAL ENTITIES AND TO REQUIRE MAMMOGRAPHY COVERAGE.

H 825 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 825**.

FIELD(18), Chairman

H 825 was referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 48 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **HCR 48** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 57.

NAYS -- Barrett, LeFavour, Loertscher, Nielsen, Sali. Total -- 5.

Absent and excused -- Clark, Crow, Ellsworth, Field(23), Ring, Sayler, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 48** adopted and ordered the resolution transmitted to the Senate.

HCR 52 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **HCR 52** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart,

Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Chadderdon, Clark, Crow, Ellsworth, Field(23), Mitchell, Nonini, Ring, Sayler, Wills, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 52** adopted and ordered the resolution transmitted to the Senate.

H 668 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mathews to open debate.

The question being, "Shall **H 668** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Sayler, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 668** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1259 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **S 1259** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer,

Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Sayler, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1259** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1383 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bradford to open debate.

The question being, "Shall **S 1383** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Rydalch, Sayler, Wills, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1383** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1348 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1348** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Ring, Sayler, Schaefer, Wills, Mr. Speaker.
Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1348** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1260 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Snodgrass to open debate.

The question being, "Shall **S 1260** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Sayler, Schaefer, Wills, Mr. Speaker.
Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1260** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1317 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **S 1317** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Sayler, Schaefer, Wills, Mr. Speaker.
Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1317** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1316 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall **S 1316** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 56.

NAYS -- Barrett, McKague, Sali, Wood. Total -- 4.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Sayler, Wills, Mr. Speaker.
Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1316** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1299** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

S 1360 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Snodgrass to open debate.

The question being, "Shall **S 1360** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2),

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Sayler, Wills, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1360** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 16, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:08 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk